

REMARKS

The Applicants respectfully request further examination and consideration in view of the arguments set forth fully below. Claims 1-43 were previously pending in this application. Within the Advisory Action mailed on March 30, 2005, Claims 1-16 and 32-43 have been allowed, Claim 31 has been objected to and Claims 17-30 have been rejected. By the above amendment, Claims 17 and 20 have been amended, and new Claim 44 has been added. Accordingly, Claims 1-36 and 38-44 are currently pending.

Rejections Under 35 U.S.C. § 102

Within the Advisory Action, it is stated that Claims 17 and 18 remain rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,908,985 to Hartman (hereinafter "Hartman").

Hartman discloses a container having an integral card holding structure. The ends of the card to be attached to the container are provided with ears or projections having a shape to generally complement the opening formed in raised surfaces of the container. The card is placed in such a way that it is held firmly against the wall of the container. Hartman does not teach a label holder capable of being detachably secured to the storage bin. In Hartman, the card is capable of being removed, but the raised surfaces of the container configured to secure the card to the storage bin are not able to be detached from the container. Further, Hartman requires a signal card comprised of ears or projections in order to attach the card to the container. This signal card is an integral part of the card holding structure; the signal card, with its ears or projections, attaches directly to the container. Hartman also does not teach a securing structure comprising a plurality of protrusions configured to cooperatively engage with a plurality of apertures.

In contrast to the teachings of Hartman, the present invention is directed to a plastic storage bin comprising a container and a label holder. The label holder is configured to rotatably and detachably couple with the container. The label holder preferably comprises a clear rigid plastic designed to hold a 3" x 5" card that describes the contents of the container. Specifically, the preferred label holder is configured to rotatably and detachably couple with a label holder securing means by cooperatively engaging a plurality of protrusions with a plurality of apertures. The storage bin further comprises a lid configured to mate with the container so as to create a positive seal. As described above, Hartman does not teach a label holder capable of being

detachably secured to the storage bin. In Hartman, the card is capable of being removed, but the raised surfaces of the container configured to secure the card to the storage bin are not able to be detached from the container. However, in the present invention, the entire label holder is capable of being removed from the storage bin. Further, Hartman requires a signal card comprised of ears or projections in order to attach the card to the container. This signal card is an integral part of the card holding structure; the signal card, with its ears or projections, attaches directly to the container. The label holder of the present invention is a separate and distinct apparatus from the card and from the storage bin. The label holder is able to accept any type of card; a card with ears or projections is not necessary. Further, the label holder may be attached to the storage bin without a card inserted, whereas Hartman needs the card in order to form the attachment. As also described above, Hartman does not teach a first securing structure including one or more apertures and a second securing structure including one or more protrusions.

The independent Claim 17 is directed to a plastic storage bin. The plastic storage bin of Claim 17 comprises a hollow body and a label holder. The hollow body has a front end and a rear end, and the hollow body further comprises a first securing structure on the front end, wherein the first securing structure includes one or more apertures. The label holder comprises a second securing structure, wherein the second securing structure includes one or more protrusions and further wherein the first and second securing structures are configured to mate and detachably secure the label holder with the hollow body. As described above, Hartman does not teach a label holder capable of being detachably secured to the storage bin. Hartman teaches a card capable of being removed, but the raised surfaces of the container configured to secure the card to the storage bin are not able to be detached from the container. However, in the present invention, the entire label holder is capable of being removed from the storage bin. Further, Hartman requires a signal card comprised of ears or projections in order to attach the card to the container. This signal card is an integral part of the card holding structure; the signal card, with its ears or projections, attaches directly to the container. The label holder of the present invention is a separate and distinct apparatus from the card and from the storage bin. The label holder is able to accept any type of card; a card with ears or projections is not necessary. Further, the label holder may be attached to the storage bin without a card inserted, whereas Hartman needs the card in order to form the attachment. As also described above, Hartman does not teach a first securing structure which includes one or more apertures and a second securing structure which includes one or more protrusions. For at least these reasons, the independent Claim 17 is allowable over the teachings of Hartman.

Claim 18 is dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Hartman. Accordingly, Claim 18 is also allowable as being dependent upon an allowable base claim.

Rejections Under 35 U.S.C. § 103

Within the Advisory Action, it is stated that Claim 19 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of U.S. Patent No. 1,761,995 to Siebe (hereinafter "Siebe"). Claim 19 is dependent upon the independent Claim 17. As discussed above, the independent Claim 19 is allowable over the teachings of Hartman. Accordingly, Claim 19 is also allowable as being dependent upon an allowable base claim.

Within the Advisory Action, Claims 20-30 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Siebe, in view of U.S. Patent No. 4,373,642 to Wolters et al. (hereinafter "Wolters").

As previously described, Siebe discloses a device for holding price tags on articles of merchandise. The price tag holder includes a frame adapted to removably support a price card. The price tag holder has a means to hold the frame and the price card on the article of merchandise. Siebe does not teach a securing structure comprising a plurality of protrusions configured to cooperatively engage with a plurality of apertures.

Wolters discloses a material handling tote adapted for multiple storage and handling techniques. The tote includes a bottom, side and end walls, and a substantially continuous multi-purpose flange at the upper edge of the side and end walls. The multi-purpose flange is constructed and arranged to releasably retain a lid, provide for stackability, include carrying grips and facilitate cantilevered hanging and retentive glide storage. Wolters does not disclose a container with rotatably and detachably coupled label holders. Further, Wolters does not disclose a lid comprising a tab to facilitate the removal of the lid. The flange in Wolters cannot be considered a lid comprising a tab to facilitate in the removal of the lid as the flange is coupled to the container, not the lid. Moreover, the flange in no way affects the attachment or removal of the lid. As shown in Figures 6 and 7, the flange merely acts as a base for the lid to sit so that the lid does not fall into the tote. The flange in no way facilitates the removal of the lid from the container. Wolters also does not teach a securing structure comprising a plurality of protrusions configured to cooperatively engage with a plurality of apertures. Accordingly, neither Siebe, Wolters nor their combination teach a plastic storage container and a label holder configured to rotatably and detachably couple with the container and a lid comprised of a tab to facilitate in the

removal of the lid. Further, neither Siebe, Wolters nor their combination teach a securing structure comprising a plurality of protrusions configured to cooperatively engage with a plurality of apertures.

In contrast to the teachings of Siebe, Wolters and their combination, the present invention is directed to a plastic storage bin comprising a container and a label holder. The label holder is configured to rotatably and detachably couple with the container. The label holder preferably comprises a clear rigid plastic designed to hold a 3" x 5" card that describes the contents of the container. Specifically, the preferred label holder is configured to rotatably and detachably couple with a label holder securing means by cooperatively engaging a plurality of protrusions with a plurality of apertures. The storage bin further comprises a lid configured to mate with the container so as to create a positive seal. The lid comprises a tab to facilitate in the removal of the lid. As described above, Siebe does not teach a storage bin with any of the features that comprise the present invention. The Siebe invention is solely a price tag holder; a container of any sort is not disclosed. In addition, Wolters does not teach a lid comprising a tab to facilitate in the removal of the lid. The flange in Wolters cannot be considered a lid comprising a tab to facilitate in the removal of the lid as the flange is coupled to the container, not the lid. Moreover, the flange in no way affects the attachment or removal of the lid. As shown in Figures 6 and 7, the flange merely acts as a base for the lid to sit so that the lid does not fall into the tote. The flange in no way facilitates the removal of the lid from the container. As described above, neither Siebe, Wolters nor their combination teach a plastic storage container and a label holder configured to rotatably and detachably couple with the container. As further discussed above, neither Siebe, Wolters nor their combination teach a securing structure comprising a plurality of protrusions configured to cooperatively engage with a plurality of apertures.

The independent Claim 20 is directed to a labeled storage apparatus. The labeled storage apparatus of Claim 20 comprises a container, one or more label holders each comprising one or more protrusions configured to rotatably and detachably engage with the one or more apertures and configured to hold a label, and a lid configured to detachably couple with the container. The container comprises integrally formed inner walls and outer walls. As described above, neither Siebe, Wolters nor their combination teach a plastic storage container and a label holder configured to rotatably and detachably couple with the container. In addition, Wolters does not teach a lid comprising a tab to facilitate in the removal of the lid. The flange in Wolters cannot be considered a lid comprising a tab to facilitate in the removal of the lid as the flange is coupled

to the container, not the lid. Moreover, the flange in no way affects the attachment or removal of the lid. As shown in Figures 6 and 7 of Wolters, the flange merely acts as a base for the lid to sit so that the lid does not fall into the tote. The flange in no way facilitates the removal of the lid from the container. As also discussed above, neither Siebe, Wolters nor their combination teach a securing structure comprising a plurality of protrusions configured to cooperatively engage with a plurality of apertures. For at least these reasons, the independent Claim 20 is allowable over the teachings of Siebe, Wolters and their combination.

Claims 21-31 are all dependent upon the independent Claim 20. As discussed above, the independent Claim 20 is allowable over the teachings of Siebe, Wolters and their combination. Accordingly, Claims 21-31 are all also allowable as being dependent upon an allowable base claim.

Within the Advisory Action, it is stated that Claim 31 is objected to, but would be allowable if rewritten in independent form. By the above amendment, new Claim 44 has been added which is an independent claim including all of the limitations of Claim 31. Accordingly, Claim 44 is also allowable.

For the reasons given above, Applicant respectfully submits that the Claims 1-43 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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